

**ORDINANCE NO. 849**

AN ORDINANCE – AMENDING SECTIONS 50-7, 50-8, AND 50-9 OF  
THE TOWN OF HOLLYWOOD PARK CODE OF ORDINANCES  
PROVIDING FOR LIMITED REGULATION OF POLITICAL SIGNS  
ON PRIVATE PROPERTY.

**WHEREAS**, the Town of Hollywood Park has regulated signs within its jurisdictional limits;

**WHEREAS**, the Town of Hollywood Park regulates signs to provide for uniform sign standards and regulations in order to ensure public safety, efficient and truthful communication and promote a positive city image reflecting order, harmony, and pride, thereby strengthening the economic stability of the Town of Hollywood Park's business, cultural, historical, and residential areas; and

**WHEREAS**, the Town Council continues to seek to maintain the value of the Town of Hollywood Park's scenic and natural resources, which are the keystones of the Town's economic strength and quality of life, through a comprehensive regulatory program that includes land use and development ordinances regulating signs; and

**WHEREAS**, the Town Council finds that certain signs overwhelm the public, unduly distract and confuse motorists by diverting attention away from the roadway, and result in safety threats to vehicular and pedestrian traffic; and

**WHEREAS**, the Town Council finds that while it wishes to promote effective political communication, certain signs constitute aesthetic harm by cluttering the rural landscape and highway corridors and adversely affecting the naturally scenic views and native environment; and

**WHEREAS**, the Town Council finds its sign regulation ordinance regulating political signs needs to be updated to bring it into conformity with state law regulations which were previously amended;

**NOW THEREFORE: THE TOWN ORDAINS AS FOLLOWS:**

**Section 50-7 of the Town of Hollywood Park Code of Ordinance is hereby amended as follows:**

Sec. 50-7. Political signs--On public and private property.

(a) Definitions:

1. Political Sign: For purposes of this section, a political sign includes any sign which contains primarily a political message, including but not limited to supporting messages for a candidate for elected or appointed office, campaign signs, electioneering signs or advertisements, signs supporting messages for political issues or messages meant to persuade registered voters to take a particular political position for either a topic or candidate for office.
2. Private Property: For purposes of this section, private property has its common and ordinary meaning except it does not include real property subject to an easement or other encumbrance that allows the Town of Hollywood Park to use the property for public use. Such property is considered public property for purposes of this section.
3. Commercial Political Advertising Sign: A political sign or message which is located on private property but which sign structure or framework is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political, such as billboards or advertising signs is considered a commercial political advertising sign for purposes of this section.

(b) It shall be unlawful for any person to post or place any political sign or advertisement of any kind or character on public property or to place a commercial political advertising sign on private property except for a period of time commencing no earlier than four weeks prior to the date of the election to which such sign or advertisement shall relate, and ending no later than the time fixed for the close of the polls on the date of such election.

(c) It shall be unlawful for the owner of any private property or any person acting in behalf of the owner to place upon his/her property at any time a political sign or advertisement, regardless of an election, that:

1. has a total effective area greater than thirty-six (36) feet; or
2. is more than eight feet high; or
3. is illuminated; or
4. has any moving elements

(d) It shall be unlawful for anyone to place upon public property, at any time, a political sign or advertisement, regardless of an election, that:

5. exceeds four square feet in total dimension; or
6. is illuminated; or
7. has any moving elements

(e) This section shall not apply to any sign or advertisement communicating notice of city council meetings and homeowner association meetings. Any such signs or advertisements shall be removed within 36 hours of the close of any such meetings.

(f) Political signs placed or posted in violation of this section are hereby declared to be public nuisances, and all city officers and employees are hereby directed and required to peremptorily abate the same by removal and destruction of such signs when found on public property without delay, and to report all instances of violations on private property noted to the city secretary or chief of police.

(g) Subsection (b) or (e) of this section shall not be construed so as to authorize the placement of political signs, etc., upon public property, regardless of an election, when any such placement shall, in the opinion of the chief of police or the fire chief, constitute a hazard, or potential hazard, to the health, safety, and welfare of the citizens of the town.

(h) Any sign or signs placed upon public property which, in the opinion of the chief of police or fire chief, shall constitute a hazard or potential hazard to the health, safety, or welfare of the citizens of the town shall be immediately removed.

(i) **Criminal Prosecution.** Any person who intentionally or knowingly violates any provision of this section shall, upon conviction, be punished according to the general penalties described in section 1-15. Each day that a provision of this ordinance is violated shall constitute a separate offense. An offense under this ordinance is a Class C Misdemeanor.

**Section 50-8 of the Town of Hollywood Park Code of Ordinance is hereby amended as follows:**

Sec. 50-8. Same--On private property only.

(a) It shall be unlawful for any person, other than the owner thereof, or someone duly authorized by him/her, to place any political signs in or on any private property whatsoever.

(b) **Criminal Prosecution.** Any person who intentionally or knowingly violates any provision of this section shall, upon conviction, be punished according to the general penalties described in section 1-15. Each day that a provision of this ordinance is violated shall constitute a separate offense. An offense under this ordinance is a Class C Misdemeanor.

**Section 50-9 of the Town of Hollywood Park Code of Ordinance is hereby amended as follows:**

Political signs are permitted to be placed on commercial properties that are contiguous to U.S. Highway 281 and/or FM 1604 as long as such signs:

1. do not have a total effective area greater than thirty-six (36) feet;
2. are not more than eight feet high;
3. are not illuminated; or
4. has any moving elements


**This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.**

**PASSED AND APPROVED**, this, the 19<sup>th</sup> day of February, 2008.



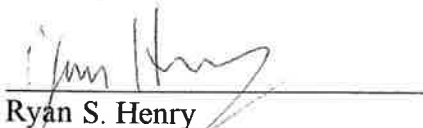
Mr. Richard McIlveen  
Mayor  
Town of Hollywood Park

ATTEST:



Barbara M. Haddock  
City Secretary  
Town of Hollywood Park

APPROVED AS TO FORM:



Ryan S. Henry  
City Attorney  
Town of Hollywood Park